

Appln. No. 10/065,595  
Docket No. 125974/GEM-0053

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No.:	10/065,595	:	Confirmation No.:	2440
Applicant:	Darin R. Okerlund	:	Group Art Unit:	3737
Filed:	November 1, 2002	:	Examiner:	Smith, Ruth S.
Docket No.:	125974/GEM-0053	:		

For: METHOD AND APPARATUS FOR MEDICAL INTERVENTION  
PROCEDURE PLANNING

October 3, 2005

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RCE UNDER 37 CFR 1.114  
AND  
AMENDMENT UNDER 37 CFR 1.111 AS SUBMISSION**

Sir:

This is in response under 37 CFR §1.111 to the Final Office Action dated June 6, 2005, and the Advisory Action dated August 30, 2005, issued in the above-identified application, wherein Applicant requests reconsideration and entry in view of the following amendment and remarks, filed as a submission and concurrently with a Request for Continued Examination under 37 CFR §1.114.

A request for an extension of time under 37 CFR 1.136(a) accompanies this response.

**Statement Concerning Common Ownership is provided on page 2.**

**Amendments to the Claims begin on page 3.**

**Remarks/Arguments begin on page 12.**

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to (571) 273-8300 to the United States Patent and Trademark Office on the date shown below.

Kim Lawrence  
Name

  
Signature

10/3/2005  
Date

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### STATEMENT CONCERNING COMMON OWNERSHIP

The instant above-identified Application and U.S. Patent Application to Okerlund et al. (U.S. Patent Application Publ. No. 2003/0187358 A1, hereinafter Okerlund) were, at the time the invention of the instant above-identified Application was made, owned by, or subject to an obligation of assignment to, the same persons, thereby disqualifying Okerlund from being used in a rejection under 35 U.S.C. §103(a) against the claims of the instant above-identified application.